

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
BHARTI AIRTEL LIMITED, GLOBAL	)	
TRANSIT LIMITED, GU HOLDINGS INC.,	)	
KDDI CORPORATION, PACNET SERVICES	)	
(USA) INC., and SINGAPORE	)	File No. SCL-LIC-2008-_____
TELECOMMUNICATIONS LIMITED	)	
	)	
Application for a License to Construct, Land,	)	
and Operate an Undersea Fiber Optic Cable	)	
Connecting the United States and Japan	)	

**APPLICATION FOR A CABLE LANDING LICENSE**  
**STREAMLINED PROCESSING REQUESTED**

Bharti Airtel Limited (“Bharti Airtel”), Global Transit Limited (“GTL”), GU Holdings Inc. (“GU Holdings”), KDDI Corporation (“KDDI”), Pacnet Services (USA) Inc. (“Pacnet”), and Singapore Telecommunications Limited (“SingTel”) (collectively, the “Parties” or the “Applicants”), pursuant to the Act Relating to the Landing and Operation of Submarine Cables in the United States, 47 U.S.C. §§34-39 (the “Cable Landing License Act”), Executive Order 10,530, and Section 1.767 of the Commission’s rules, 47 C.F.R. §1.767, request a license to operate a non-common carrier fiber-optic submarine telecommunications cable extending between Japan and the United States. This submarine cable system will be called the Unity Cable System (“Unity”).

For the reasons set forth below, the grant of this application will serve the public interest and should be granted on a streamlined basis.

## **I. DESCRIPTION OF THE CABLE SYSTEM**

Unity represents the next generation of subsea cable systems. Unity was born from a desire to build a cable system that reflects the changes in today's communications market, especially the rise of video, e-commerce, and other high-bandwidth applications and the increasingly international nature of communications markets. It is the first major subsea cable system with significant involvement by non-carriers and the first that permits the ownership and management of individual fiber pairs.

### **A. General Description**

Unity will connect the West Coast of the United States to Japan, becoming the first new cable on the U.S.-Japan route in nearly ten years. Thus, Unity will substantially increase capacity on that route. Unity further improves on the connectivity between Asia and the U.S. given Japan's status as a communication hub to Asia. Construction of Unity is scheduled to begin immediately, with initial capacity targeted to be available in the first quarter of 2010. The system will have a total length of 10,000 kilometers and a useful life of 25 years. Total construction costs are estimated at \$300 million.

Unity will dramatically increase available capacity in the trans-Pacific market. Upon deployment, Unity will increase bandwidth between the United States and Asia by nearly 20 percent. As currently planned, Unity will have 5 fiber pairs with a total capacity of 4.8 Terabits per second (Tbps). The system can be expanded to a total of 8 fiber pairs with total capacity of up to 7.68 Tbps. This will enable Unity to meet the growth in data, Internet, and voice traffic between the United States and Asia for years to come.

### **B. Unity Represents a New Generation of Subsea Cable Systems**

Unity will be constructed pursuant to a Joint Build Agreement ("JBA") executed by the Applicants in February 2008. For decades, cable systems have followed the consortium model.

Consortium members, typically incumbent telecommunications carriers, jointly constructed subsea systems to meet their internal forecasts for international voice traffic. These “club” cables barred participation by non-members and proscribed capacity sales to third parties. The consortium model resulted in low-capacity, high-cost systems that limited service innovation and kept prices for international telecommunications services high.

The second generation of submarine cables began in the 1990s in response to the growing demand for reasonably-priced international voice and data services and the nascent Internet. Taking advantage of liberalization in the major telecommunications markets, companies like Global Crossing and New World Networks, among others, built privately-financed cable systems. These competitive cable operators owned all the capacity on their systems, which they used to provide telecommunications services directly and, more significantly, sold to other service providers. These operators revolutionized the subsea cable industry, bringing competition to a previously closed market, introducing inexpensive transcontinental transport, and facilitating the spectacular growth of global communications and the Internet.

Unity combines the cost-sharing aspects of consortium cables with the operating efficiencies of the private cable model. Like a consortium cable, the Unity Parties will share the costs of developing, constructing, and maintaining Unity. They will jointly own the system’s common infrastructure, which includes the subsea plant and the landing and terminal equipment. Individual Parties will own and manage individual fiber pairs and the associated equipment.

Many non-carriers have experienced exploding demand for their services on trans-Pacific and intra-Asian routes, with the corresponding need for bandwidth. Unity’s structure gives non-carriers the ability to control their own infrastructure and to better manage access to and the cost of capacity on these important routes.

### **C. Construction and Operation of Unity**

Unity will be owned, operated, and maintained by Applicants pursuant to the JBA. Applicants' ownership interests in Unity and details regarding each of the Applicants are set forth in Section IV.D. and in Appendices A through F. Management of Unity's common infrastructure will be handled by an Executive Committee (the "EC"). The EC is responsible for directing the engineering, construction, operation, and maintenance of Unity. The EC is comprised of one representative named by each of the Parties. Decisions of the EC will be by consensus or a simple majority, except for certain major actions that require a super-majority or unanimity. The EC may appoint working groups to carry out its responsibilities.

Applicants have entered into a Supply Contract with Tyco Telecommunications ("Tyco") and NEC Corporation ("NEC") for the construction of Unity, including the subsea plant, the landing and terminal facilities and certain terrestrial transmission facilities associated with the system. Tyco has overall design responsibility and will supply the dry plant equipment. Conceptual system configurations of the system are attached as Appendix G. Unity will land in two locations: Chikura, Japan and either Hermosa Beach, California or Norma Beach, Washington. The Japan landing party is KDDI and the U.S. landing party is GU Holdings. The primary Network Operations Center ("NOC") for Unity will be located in Singapore and managed by SingTel; a second, fully redundant, NOC, will be located in the U.S. and will be controlled by GU Holdings either directly or through a subcontractor.

Applicants have entered into two landing agreements for Unity – the Japan Landing Party Agreement and the United States Landing Party Agreement. Those agreements will govern the relationship between the landing party and the other Parties at each landing point. The Japan landing and terminal facilities are owned and operated by KDDI. In Japan, Unity will terminate

at the Chikura landing station, where individual Parties may connect their capacity to Japan's domestic network or other international cable systems.

The Parties expect that Unity will land at Hermosa Beach, California; however, the Supply Contract gives the Parties an option to move the landing point to Norma Beach, Washington. Which location is finally chosen depends on various factors, and discussions regarding the landing point are ongoing. Applicants provide required information on both locations in Section IV.B. and will notify the Commission when the final location is chosen.<sup>1</sup>

At either U.S. landing location, the facilities associated with landing and terminating Unity will be constructed and installed by Tyco. Unity will terminate in the U.S. at a Point of Presence ("PoP") to be located in either Los Angeles or Seattle.

#### **D. Control of U.S. Facilities and Equipment**

Applicants intend to enter into contractual arrangements with a third party to operate and manage the U.S. facilities associated with Unity, including the landing and terminal equipment, terrestrial transmission facilities associated with the landing, and the U.S. NOC. Negotiations with potential vendors, all of whom are U.S. persons, are ongoing, and Applicants will promptly advise the Commission once a vendor is selected. Regardless of the vendor, U.S. common infrastructure will be controlled and operated by the U.S. NOC. The vendor contract will provide for proper control and the authority to direct the vendor in all matters relating to Unity's U.S. common infrastructure.

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<sup>1</sup> The California landing would use, in part, existing cable facilities owned by Tyco and authorized by the Commission pursuant to File No. SCL-LIC-20050304-00011. Construction of the cable authorized by that license was never completed with the exception of certain terrestrial facilities and a 6.2 kilometer stub extending seaward from Hermosa Beach. Applicants intend to acquire the facilities authorized in File No. SCL-LIC-20050304-00011 if the California landing point is selected. Accordingly, Applicants request that the Commission approve the purchase of those assets by Applicants.

## **II. PUBLIC INTEREST STATEMENT**

Grant of this Application will serve the public interest, convenience and necessity. The entry into service of Unity will substantially increase the available capacity between the United States and Asia and will further the Commission's goal of making advanced telecommunications services available between the United States and foreign points, particularly Japan and Asia. The entry of the Unity system will increase competition in the trans-Pacific market, will enhance service quality, and increase the redundancy and resilience of communications systems between the U.S. and Asia.

### **A. Unity Will Help Meet the Need for Bandwidth in the Trans-Pacific Market**

The demand for communications between the United States and Asia has increased dramatically in recent years and is anticipated to continue growing. According to the TeleGeography Global Bandwidth Report, 2007, trans-Pacific bandwidth demand grew at a compounded annual growth rate of 63.7% between 2002 and 2007.<sup>2</sup> TeleGeography has forecasted that demand will continue to grow at this robust rate from 2008 to 2013, with total demand for capacity doubling approximately every two years.<sup>3</sup> Unity will serve the public interest by helping to meet this demand with innovative, state-of-the-art infrastructure.

The increase in capacity demand is due to the increasingly global economy and the tremendous growth in high-bandwidth communications across the Pacific. The growth of call centers, data centers, and other data-intensive businesses in Asia, the growing importance of e-commerce, and the increase in video and other bandwidth-intensive services benefit the United States. More generally, American trade with Asia is key to our country's continued economic

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<sup>2</sup> *Global Consortium to Construct New Cable System Linking US and Japan to Meet Increasing Bandwidth Demands*, available at [http://www.google.com/intl/en/press/pressrel/20080225\\_newcablesystem.html](http://www.google.com/intl/en/press/pressrel/20080225_newcablesystem.html) (Feb. 26, 2008).

<sup>3</sup> *Id.*

success. Four of the top ten U.S. trading partners are in Asia -- Japan, China, Taiwan, and Korea.<sup>4</sup> Japan is our fourth largest trading partner, with the total trade in excess of \$208 billion.<sup>5</sup> Access to consistent, high-quality communications channels is essential to the success of these trade relationships. The need for such access is obvious for the technology, communications, and media sectors, in which content and services are produced and consumed around the globe. It is equally critical for the increasingly globalized manufacturing sector, which relies on close coordination and communication among far-flung facilities to produce and distribute all manner of products. To remain efficient and competitive, U.S. businesses need more and higher quality bandwidth in the Pacific. Unity will help address that need.

This growth in trade with Asia, especially in the communications sector, demands ever-larger amounts of transmission capacity. Existing and projected bandwidth supply is insufficient to meet the projected demand. The trans-Pacific market is currently served by five cable systems -- TPC-5, Pacific Crossing-1 ("PC-1"), China-US, Japan-US ("JUS"), and VSNL Transpacific ("VSNL"). The newest of these cables dates to 2002, and the combined capacity of all these systems is inadequate to meet current, much less projected, demand in the trans-Pacific market. Moreover, TPC-5 is likely nearing the end of its useful life, which will require its users to find alternative sources of bandwidth.

In response, several upgraded and new trans-Pacific systems have been announced. The JUS consortium and VSNL have both announced upgrades to their systems, citing the growing need for capacity.<sup>6</sup> Additionally, the PC-1 has recently been upgraded to 1.98 Tbps (however

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<sup>4</sup> U.S. Census Bureau, Foreign Trade Statistics, *Top Trading Partners - Surplus, Deficit, Total Trade*, available at <http://www.census.gov/foreign-trade/top/index.html#2007>.

<sup>5</sup> *Id.*

<sup>6</sup> *Fujitsu Signs Contract for Upgrade of Japan-US Cable Network*, available at <http://www.fujitsu.com/global/news/pr/archives/month/2007/20070514-03.html> (May 14, 2007) (announcing upgrade to 1.28 Tbps); *VSNL to*

only 1.01 Tbps is available on the two trans-Pacific segments).<sup>7</sup> Verizon recently obtained Commission approval to construct its Trans-Pacific Express (“TPE”) cable connecting the U.S. and China and an application is pending for the Asia - Americas Gateway (“AAG”) Cable Network connecting the U.S. and Southeast Asia.<sup>8</sup>

However, even these upgraded and new systems will be insufficient to meet demand. The JUS and VSNL cables are being upgraded to just 1.28 Tbps each, and the TPE and AAG systems have capacities of just 1.28 Tbps and 1.92 Tbps respectively.<sup>9</sup> Even with its upgrade, JUS is likely to fill up by 2010, and TPE is also likely to be at capacity quickly given the demand for bandwidth on the US-China route.<sup>10</sup> AAG connects to Southeast Asia and will not directly address demand in the East and North Asia markets. Thus, the projected increase in capacity from these cables will not fully meet the need for bandwidth.

Unity, with its capacity of 4.8 Tbps and direct route to Japan, will address that need, ensuring that the growth of trans-Pacific communications can continue unimpeded by impending bandwidth constraints.

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*Upgrade Trans-Pacific Submarine Cable Network to One Terabit Capacity to Serve Increased Customer Demand*, available at <http://www.tatacommunications.com/news/release-view.asp?d=20060828a> (Aug. 28, 2006) (announcing upgrade from 640 Gbps to 1 Tbps).

<sup>7</sup> *Fujitsu doubles bandwidth of fiber optic network between North America and Japan*, available at <http://www.tgdaily.com/content/view/36542/103/> (March 19, 2008).

<sup>8</sup> *MCI International, Inc. Application for a License to Land and Operate a Fiber-Optic Submarine Cable System*, File No. SCL-LIC-20070222-00002, Public Notice, *Non-Streamlined Submarine Cable Landing License Applications Accepted for Filing*, Report No. SCL-00028NS (Int’l Bur., April 2, 2007); *AT&T Corp., Application for a License to Construct, Land and Operate an Undersea Optical Cable System*, File No. SCL-LIC-20070824-00015, Public Notice, *Non-Streamlined Submarine Cable Landing License Applications Accepted for Filing*, Report No. SCL-00040NS, (Int’l Bur., Oct. 11, 2007).

<sup>9</sup> *See id.*

<sup>10</sup> Since 2006 China has been the United States’ second largest trading partner and is the fastest growing of the United States’ major export markets. U.S Census Bureau, Foreign Trade Statistics, *Top Trading Partners - Surplus, Deficit, Total Trade*, available at <http://www.census.gov/foreign-trade/top/index.html#2007>.



**B. Unity Will Increase Competition in the Trans-Pacific Market**

Additional capacity on the U.S.-Japan route and, more generally, in the trans-Pacific market, will also promote facilities-based competition. The Commission has previously found that the public interest is served by the expansion of submarine capacity through facilities-based competition. In its *Streamlining Report and Order*, the Commission noted that its new procedures were intended to “promote the expansion of capacity and competition in the submarine cable market.”<sup>11</sup> Unity serves that objective. Upon deployment, Unity will immediately increase trans-Pacific capacity by 20%. This will result in lower cost capacity which, in turn, will spur greater service innovation and lower prices for consumers of international communications services.

**C. Unity Will Improve Service Quality and Increase Redundancy and Resiliency**

Unity also will result in improved service and increased redundancy and resiliency on trans-Pacific routes. The substantial increase in capacity that will result from Unity’s deployment will decrease latency for voice and high-bandwidth applications like video and e-commerce that make up an increasing percentage of communications traffic. In addition, by interconnecting with other trans-Pacific and intra-Asia cable systems, Unity will reduce congestion on other networks and enhance the use of dynamic routing by carriers and service providers. Unity will therefore help improve service quality on U.S. international routes in the Pacific Basin.

Unity also will improve the redundancy and resiliency of the communications network in the Pacific Basin. Unity will interconnect, directly or indirectly, with many of the existing trans-

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<sup>11</sup> *Review of Commission Consideration of Applications under the Cable Landing License Act*, IB Docket No. 00-106, Report and Order, ¶76 (Dec. 14, 2001) (“Streamlining Report and Order”).

Pacific cables as well as with existing and planned intra-Asia cables. Thus, Unity will provide additional transmission options in the event of disruptions to other systems -- whether natural or manmade.

For all of the above stated reasons, granting this Application will serve the public interest, convenience and necessity.<sup>12</sup>

### **III. INFORMATION REQUIRED BY 47 C.F.R. § 1.767**

The information requested by Sections 1.767(a)(1)-(3) and (8)-(9) of the Commission's rules for each Applicant is contained in the attached Appendices:

Appendix A: Bharti Airtel Limited

Appendix B: Global Transit Limited

Appendix C: GU Holdings Inc.

Appendix D: KDDI Corporation

Appendix E: Pacnet Services (USA) Inc.

Appendix F: Singapore Telecommunications Limited

### **IV. INFORMATION REQUIRED BY 47 C.F.R. § 1.767(a)(4)-(7)**

#### **A. 47 C.F.R. § 1.767(a)(4): Description of the Cable**

See Section I above.

#### **B. 47 C.F.R. § 1.767(a)(5): Landing Points**

Unity will have two landing points: Chikura, Japan and either Hermosa Beach, California or Norma Beach, Washington.

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<sup>12</sup> Applicants recognize that the Commission has an open proceeding regarding the application of the Coastal Zone Management Act, 16 U.S.C. § 1456, to submarine cable licenses. *Amendment of Parts 1 and 63 of the Commission's Rules*, Notice of Proposed Rulemaking, FCC 04-40, IB Docket No. 04-47 (Mar. 4, 2004). Applicants' certifications that they will comply with the requirements of the CZMA and the National Oceanic and Atmospheric Administration rules implementing the CZMA are contained in Appendices A through F.

### **Hermosa Beach Location**

The cable landing station for the Hermosa Beach landing is located at:

Street Address: Redondo Information Technology Center  
811 North Catalina Avenue  
Redondo Beach, CA 90227

Coordinates: Latitude 33° 50.2710' N  
Longitude 118° 23.3088' W

The beach manhole is located at:

Coordinates: Latitude 33° 51.2934' N  
Longitude 118° 23.9104' W

### **Norma Beach Location**

The cable landing station for the Norma Beach landing is located at:

Street Address: 3721 148<sup>th</sup> St SW  
Lynnwood, WA 98087

Coordinates: Latitude 47°51'52.83" N  
Longitude 122°17'2.89" W

The beach manhole is located at:

Coordinates: Latitude 47°51'54.12" N  
Longitude 122°19'55.75" W

### **Chikura, Japan**

The cable landing station in Japan is located at:

Street Address: 2980-15, Hamada, Seto, Chikura-cho,  
Minamiboso-shi, Chiba, 295-0004, Japan

Coordinates: Latitude 34.973889 N  
Longitude 139.966408 W

There is no beach manhole at Chikura because the cable will land directly at the station.

Maps and photographs relating to the potential U.S. landing locations and the Chikura landing are attached at Appendices H and I respectively.

**C. 47 C.F.R. § 1.767(a)(6): Common Carrier/Non-Common Carrier Status**

Unity will be operated on a private, non-common carrier basis consistent with the Commission's established policy. The Commission follows the two-part *NARUC I* test in determining whether a cable should be regulated as a private or common carrier cable.<sup>13</sup> Under this test, a submarine cable may be operated on a non-common carrier basis if: (1) there is no legal compulsion to serve the public indifferently; and (2) there are no reasons implicit in the nature of the operations to expect that the applicant would make capacity available to the public indifferently and indiscriminately.<sup>14</sup> In this case, pursuant to the *NARUC I* analysis, (1) there is no legal compulsion for the Applicants to serve the public indifferently; and (2) there is no reason to expect that capacity on Unity will be offered indifferently and indiscriminately to the public.

With respect to the first prong of the *NARUC I* analysis, the Commission has focused on whether an applicant will be able to exercise market power because of the lack of alternative facilities.<sup>15</sup> There are a variety of alternative facilities on existing and proposed cable and satellite systems between the United States and Asia and specifically on the U.S. - Japan route. Competitive alternatives include a number of subsea cables licensed by the Commission which currently serve the Asia Pacific region, including Japan-US Cable, Pacific Crossing-1, VSNL-Transpacific, Asia Pacific Cable Network ("APCN"), Asia Pacific Cable Network 2 ("APCN2"), City-to-City ("C2C"), TPC-5, China-US and FLAG/REACH North Asia Loop ("FNAL/RNAL"). In addition, two new cable systems have been proposed that, if completed,

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<sup>13</sup> National Ass'n of Regulatory Utility Commissioners v. FCC, 525 F.2d 630, 641 (D.C. Cir. 1976), *cert. denied*, 425 U.S. 992 (1976) ("*NARUC I*").

<sup>14</sup> *Id.* at 642.

<sup>15</sup> See *Cable and Wireless PLC*, 12 FCC Rcd 8516, ¶15 (1997); *Optel Communications, Inc.*, 8 FCC Rcd 2267, 2269 (1993).

will compete with Unity in the trans-Pacific market: the TPE cable and the AAG Cable Network. These systems provide users with a variety of choices for routing telecommunications traffic between the United States and Japan. These competing options will continue to be available when Unity is put into service. Therefore, there are ample alternative facilities on the U.S.-Japan and trans-Pacific routes under the first prong of the *NARUC I* test and there is no reason for the Commission to require the Applicants to serve the public indiscriminately.

Under the second prong of the *NARUC I* analysis, the Commission considers whether there is any reason implicit in the nature of the application that the applicants would make capacity available to the public indifferently and indiscriminately. In this case, there is no reason to expect that capacity on Unity will be offered indifferently to the public. Capacity on Unity will either be used by the Applicants to meet their own internal needs for bandwidth or, as with other non-common carrier cable systems, will be made available to third parties based on individually tailored agreements. Because the Applicants will make “individualized decisions, in particular cases, [on] whether and on what terms to deal,” they will not hold themselves out indifferently when using capacity on Unity.

For these reasons, the Commission should find that Unity may be operated on a non-common carrier basis.

**D. 47 C.F.R. § 1.767(a)(7): List of Owners and Ownership Interests**

Applicants will own all common infrastructure of Unity in proportionate and indivisible shares according to the following percentage ownership interests:

<b>Party</b>	<b>Participation Interest</b>	<b>Voting Rights</b>	<b>Fiber Pairs</b>
Pacnet	40.00%	40.00%	2.0
GU Holdings	20.00%	20.00%	1.0
Global Transit	10.00%	10.00%	0.5
Bharti	10.00%	10.00%	0.5
KDDI	10.00%	10.00%	0.5
SingTel	10.00%	10.00%	0.5

**V. INFORMATION REQUESTED BY SECTIONS 63.18(h)-(k), (o) AND (p) OF THE COMMISSION'S RULES**

**A. Information requested by Section 63.18(h)-(k)**

Appendices A through F contain the information requested by Sections 63.18(h)-(k) of the Commission's rules for each of the Applicants.

**B. Information requested by Section 63.18(o)**

Applicants' certifications, as required by 47 C.F.R. §§1.2001-1.2003, that they are not subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, are contained in Appendices A through F.

**C. Information requested by Section 63.18(p): Qualification for Streamlined Processing**

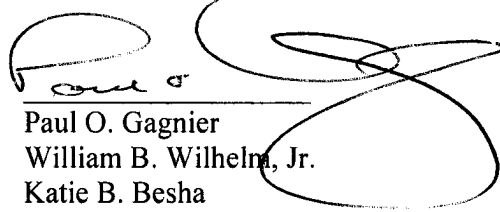
Each of the Applicants qualifies for streamlined treatment. Therefore, this application is eligible for streamlined processing under 47 C.F.R. § 1.767(k). *See* Appendices A-F.

**VI. CONCLUSION**

The public interest, convenience and necessity will be served by a grant of this application to land and operate a private, non-common carrier, fiber optic submarine

telecommunications cable between Japan and the United States. Applicants respectfully request that the Commission grant this application on a streamlined basis.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul O. Gagnier", is written over a horizontal line. The signature is stylized with large, sweeping loops.

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Counsel for Applicants

Dated: May 16, 2008

## **APPENDICES**

Appendix A:	Bharti Airtel Limited
Appendix B:	Global Transit Limited
Appendix C:	GU Holdings Inc.
Appendix D:	KDDI Corporation
Appendix E:	PacNet Services (USA) Inc.
Appendix F:	Singapore Telecommunications Limited
Appendix G:	Conceptual System Configurations
Appendix H:	Maps/Photos of U.S. Landing Locations
Appendix I:	Maps/Photos of Japan Landing Location



## **APPENDIX A – BHARTI AIRTEL LIMITED**

Bharti Airtel Limited (“Bharti Airtel”), a group company of Bharti Enterprises, is India’s leading integrated telecom services provider with 57.34 million customers as of end of December 2007, consisting of 55.16 million mobile customers. Bharti Airtel was rated among the best performing companies in the world in the Business Week IT 100 list 2007.

Bharti Airtel is structured into three business units: Mobile services, Telemedia services and Enterprise services. The mobile business provides mobile and fixed wireless services using GSM technology in 23 areas across India. The Telemedia business provides telemedia services in 94 cities and is foraying into the IPTV and DTH segments. The Enterprise services provide end-to-end telecommunications solutions to corporate customers and national and international long distance services to carriers. All these services are provided under the Airtel brand. Bharti Airtel’s high-speed fiber optic network spans over 67,138 kilometers covering all the major cities in India. The company has two international landing stations in Chennai, India that connect two submarine cable systems: i2i to Singapore and SEA-ME-WE-4 to Europe. Bharti Airtel has also invested in the Asia America Gateway Cable Network, a planned submarine cable system connecting Asia to America. Additional information regarding Bharti Airtel can be found at <http://www.airtel.in/index.aspx>.

Bharti Airtel holds authority from the Commission pursuant to Section 214 of the Communications Act of 1934, as amended, to operate as a global facilities-based and resale carrier in accordance with Sections 63.18(e)(1) and 63.18(e)(2) of the Commission’s rules.<sup>1</sup>

### **INFORMATION REQUIRED BY 47 C.F.R. § 1.767(a)**

#### **(1) Name, Address and Telephone Number of the Applicant**

Bharti Airtel Limited  
234, Okhla Industrial Estate, Phase-3  
New Delhi, India 110020  
Tel: +91 (11) 4161 5050

#### **(2) Place of Formation**

Bharti Airtel is formed under the laws of the Republic of India.

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<sup>1</sup> File No. ITC-214-20031222-00558.

**(3) Correspondence concerning the application should be sent to the following:**

Rajan Swaroop, Executive Director  
Bharti Airtel Limited  
234, Okhla Industrial Estate, Phase-3  
New Delhi, India 110020  
Tel: +91 (11) 4171 1450  
Fax: +91 (11) 4161 4050  
Email: Rajan.Swaroop@airtel.in

With a copy to:

Michelle Cohen  
Thomson Hine, LLP  
1920 N Street, N.W., Suite 800  
Washington DC 20036-1600  
Tel: (202) 331-8800  
Fax: (202) 331-8330  
Email: michelle.cohen@thompsonhine.com

**(4) Certification and Ownership Information Requested by Sections 63.18(h)-(k) and (o) of the Commission's Rules**

**Information requested by Section 63.18(h):**

The following persons or entities have a 10% or greater ownership interest in Applicant:

Name: Bharti Telecom Limited  
Address: Qutab Ambience, H-5/12, Mehrauli Road  
New Delhi, India 11030  
Ownership: 45.31%  
Citizenship: India  
Principal Business: Promotion of telecommunications services

Name: Pastel Limited  
Address: 10, Ferere Felix de Valois Street  
Port Louis, Mauritius  
Ownership: 15.58%  
Citizenship: Mauritius  
Principal Business: Telecommunications services

The remaining shares of Bharti Airtel are traded publicly on the National Stock Exchange of India Limited (NSE) and The Stock Exchange, Mumbai (BSE). To the knowledge of Bharti Airtel, no person other than those listed above has a 10% or greater direct interest in the company.

The following persons or entities have a 10 percent or greater ownership interest in Bharti Telecom Limited:

Name: Bharti Infotel Private Limited  
Address: Qutab Ambience, H-5/12, Mehrauli Road  
New Delhi, India 110030  
Ownership: 36.65% (representing a 16.61% interest in Bharti Airtel)  
Citizenship: India  
Principal Business: Promotion of telecommunications services

Name: Bharti Enterprises  
Address: Qutab Ambience, H-5/12, Mehrauli Road  
New Delhi, India 11030  
Ownership: 13.62% (representing a 6.17% interest in Bharti Airtel)  
Citizenship: India  
Principal Business: Investment and promotion of various businesses

Name: Macritchie Investment Pte Ltd  
Address: HSBC Central Services Centre  
S K Ahire Marg, Worli, Mumbai, India 400025  
Ownership: 11.01% (representing a 4.99% interest in Bharti Airtel)  
Citizenship: India  
Principal Business: Telecommunications services

Name: Pastel Limited  
Address: 10, Ferere Felix de Valois Street  
Port Louis, Mauritius  
Ownership: 32.81%  
Citizenship: Mauritius  
Principal Business: Telecommunications services

Pastel Limited is wholly owned by Singapore Telecommunications Limited (“SingTel”). SingTel’s total direct and indirect interest in Bharti Airtel totals 30.45%: 15.58% + (32.81% x 45.31%). *See* Appendix F of this Application for a description of SingTel’s ownership.

The following persons or entities have a 10 percent or greater ownership interest in Bharti Infotel Private Limited:

Name: Bharti Enterprises  
Address: Qutab Ambience, H-5/12, Mehrauli Road  
New Delhi, India 11030  
Ownership: 73.76% (representing a 12.25% interest in Bharti Airtel)  
Citizenship: India  
Principal Business: Investment and promotion of various businesses

The total interest of Bharti Enterprises in Bharti Airtel (through its interests in Bharti Telecom Limited and Bharti Infotel Private Limited) is 18.42%:  $(45.31\% \times 13.62\%) + (45.31\% \times 36.65\% \times 73.76\%)$ ).

Name: Vodafone Mauritius Limited  
Address: 608, St. James Court, St. Denis Street,  
Port Louis, Mauritius  
Ownership: 26.24% (representing a 4.36% interest in Bharti Airtel)  
Citizenship: Mauritius  
Principal Business: Telecommunications services

The following persons or entities have a 10 percent or greater ownership interest in Bharti Enterprises:

Name: Mittal Family  
Address: Qutab Ambience, H-5/12, Mehrauli Road  
New Delhi, India 11030  
Ownership: 100% (representing an 18.42% interest in Bharti Airtel)  
Citizenship: India  
Principal Business: Investments and promotion of various businesses

No other person or entity holds a 10% or greater direct or indirect interest in Bharti Airtel.

Applicant does not have any interlocking directorates with a foreign carrier.

**Information requested by Section 63.18(i):**

Bharti Airtel is a foreign carrier authorized to engage in provision of international telecommunications services in India. Affiliates of Bharti Airtel are authorized to provide telecommunications services to the public as described in the following chart.

Affiliate Name	Country Where Licensed
Bharti Airtel (Canada) Ltd	Canada
Guernsey Airtel Limited	Guernsey
Bharti Airtel (Hong Kong) Limited	Hong Kong
Jersey Airtel Limited	Jersey
Telecom (Seychelles) Limited	Seychelles
Bharti Airtel (Singapore) Pte Ltd	Singapore
Bharti Airtel Lanka (Pvt) Ltd	Sri Lanka
Bharti Airtel (UK) Ltd	United Kingdom

**Information requested by Section 63.18(j):**

Neither Bharti Airtel nor any of its affiliates is a licensed carrier in Japan.

**Information requested by Section 63.18(k):**

Not applicable.

**Information requested by Section 63.18(o):**

Bharti Airtel certifies pursuant to Sections 1.2001 through 1.2003 of the Commission's Rules that it is not subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988.

**(5) Routine Conditions Specified in Section 1.767(g) of the Commission's Rules, 47 C.F.R. § 1.767(g)**

Bharti Airtel certifies that it accepts and will abide by the routine conditions specified in Section 1.767(g) of the Commission's Rules, 47 C.F.R. § 1.767(g).

**ELIGIBILITY FOR STREAMLINED PROCESSING PURSUANT TO 47 C.F.R. § 1.767(k)**

Bharti Airtel is eligible for streamlined processing under Section 1.767(k)(1) of the Commission's rules. Bharti Airtel is not a foreign carrier in Japan and is not affiliated with a foreign carrier in Japan.

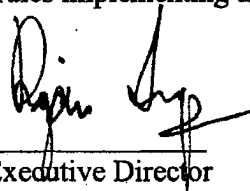
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### **CERTIFICATION**

I am authorized to enter this certification on behalf of Bharti Airtel Limited.

I certify that all of the information contained in the Application relating to Bharti Airtel Limited and in this Appendix A is true and correct to the best of my knowledge and belief.

I further certify that Bharti Airtel Limited is aware of the requirements of the Coastal Zone Management Act of 1972, as amended, 16 U.S.C. § 1456 (CZMA), and will abide by the CZMA and the National Oceanic and Atmospheric Administration rules implementing the CZMA, 15 C.F.R. Part 930, Subpart D.



Rajan Swaroop, Executive Director  
Bharti Airtel Limited  
234, Okhla Industrial Estate, Phase-3  
New Delhi, India 110020

**For and on behalf of Bharti Airtel Limited**

Dated: May 16, 2008

## **APPENDIX B – GLOBAL TRANSIT LIMITED**

Global Transit Limited (“GTL”) operates the fastest growing IP Transit network in South Asia. The company's content rich network provides high availability services to leading service providers and enterprises across the region. Global Transit is headquartered in Kuala Lumpur and is an affiliate of The AIMS Asia Group, a pan-Asian operator of network neutral data centers. Additional information regarding Global Transit is available at <http://www.aims.com.my/globaltransit.htm>.

Global Transit and its affiliates do not hold authority under Section 214 of the Communications Act of 1934, as amended, or the Cable Landing License Act.

### **INFORMATION REQUIRED BY 47 C.F.R. § 1.767 (a)**

#### **1. Name, Address and Telephone Number of the Applicant**

Global Transit Limited  
18<sup>th</sup> Floor, Menara Aik Hua  
Cangkat Raja Chulan  
50200 Kuala Lumpur, Malaysia  
Tel: +60320314988

#### **2. Place of Formation**

GTL is formed under the laws of Malaysia.

#### **3. Correspondence concerning the application should be sent to the following:**

Afzal Abdul Rahim, Chief Executive Officer  
Global Transit Ltd  
18<sup>th</sup> Floor, Menara Aik Hua  
Cangkat Raja Chulan  
50200 Kuala Lumpur, Malaysia  
Tel: +60 (3) 2031 4988  
Fax: +60 (3) 2031 8948  
Email: [afzal.rahim@aims.com.my](mailto:afzal.rahim@aims.com.my)

With a copy to:

Ng MyMin  
Ho, Loke & Koh  
A-1-1, Megan Phileo Promenade  
189, Jalan Tun Razak  
50400 Kuala Lumpur, Malaysia  
Email: [ngwm@hlk.com.my](mailto:ngwm@hlk.com.my)

**4. Certification and Ownership Information Requested by Sections 63.18 (h)-(k) and (o) of the Commission's Rules**

**Information requested by Section 63.18 (h):**

The following persons or entities have a 10 percent or greater ownership interest in the GTL:

Name: Megawisra Sdn Bhd  
Address: Suite 9.2A, 9<sup>th</sup> Floor  
Menara Aik Hua, Cangkat Raja Chulan  
50200 Kuala Lumpur, Malaysia  
Ownership: 100%  
Citizenship: Malaysia  
Principal Business: Telecommunication services

The following persons or entities have a 10 percent or greater ownership interest in Megawisra Sdn Bhd:

Name: Megawisra Investment Ltd  
Address: Akara Building, 24 De Castro Street  
Wickhams Clay I  
Road Town, Tortola, British Virgin Islands  
Ownership: 100%  
Citizenship: British Virgin Islands  
Principal Business: Investment holdings

The following persons or entities have a 10 percent or greater ownership interest in Megawisra Investment Ltd:

Name: Afzal Abdul Rahim  
Address: 27, Jalan Cinta Alam  
Country Heights  
43000 Kajang, Malaysia  
Ownership: 75%  
Citizenship: Malaysia  
Principal Business: Investments and promotion of various businesses

Name: Gan Te-Shen  
Address: No. 29, Jalan Taman Seputeh 2  
Taman Seputeh  
58000 Kuala Lumpur, Malaysia  
Ownership: 25%  
Citizenship: Malaysia  
Principal Business: Investments and promotion of various businesses

No other person or entity holds a 10% or greater direct or indirect interest in GTL.



Applicant does not have any interlocking directorates with a foreign carrier.

**Information requested by Section 63.18(i):**

GTL or its affiliates are authorized to engage in provision of telecommunications services in the following jurisdictions.

<b>Affiliate Name</b>	<b>Country Where Licensed</b>
Global Transit (Hong Kong) Limited	Hong Kong
Global Transit Communications Sdn. Bhd.	Malaysia
Global Transit Singapore Pte Ltd	Singapore

**Information requested by Section 63.18(j):**

GTL and its affiliates are not licensed carriers in Japan.

**Information requested by Section 63.18(k):**

Not applicable.

**Information requested by Section 63.18(o):**

Global Transit Limited certifies pursuant to Sections 1.2001 through 1.2003 of the Commission's Rules that it is not subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988

**5. Routine Conditions Specified in Section 1.767(g) of the Commission's Rules, 47 C.F.R § 1.767(g)**

Global Transit Limited certifies that it accepts and will abide by the routine conditions specified in Section 1.767(g) of the Commission's Rules, 47 C.F.R. § 1.767(g).

**ELIGIBILITY FOR STREAMLINED PROCESSING PURSUANT TO 47 C.F.R. § 1.767(k)**

GTL is eligible for streamlined processing under the FCC's rules pursuant to 47 C.F.R. § 1.767(k) because it is not a foreign carrier in Japan and it is not affiliated with a foreign carrier in Japan.

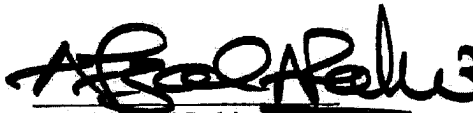
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### **CERTIFICATION**

I am authorized to enter this certification on behalf of Global Transit Limited.

I certify that all of the information contained in the Application relating to Global Transit Limited and in this Appendix B is true and correct to the best of my knowledge and belief.

I further certify that Global Transit Limited is aware of the requirements of the Coastal Zone Management Act of 1972, as amended, 16 U.S.C. § 1456 (CZMA), and will abide by the CZMA and the National Oceanic and Atmospheric Administration rules implementing the CZMA, 15 C.F.R. Part 930, Subpart D.



Afzal Abdul Rahim, CEO  
Global Transit Limited  
18th Floor, Menara Aik Hua  
Cangkat Raja Chulan  
50200 Kuala Lumpur, Malaysia

**For and on behalf of Global Transit Limited**

Dated: May 16, 2008

## **APPENDIX C – GU HOLDINGS INC.**

GU Holdings Inc. (“GU Holdings”) is an indirect subsidiary of Google Inc. (“Google”) formed for the purposes of developing the Unity Cable System. Google's innovative search technologies connect millions of people around the world with information every day. Founded in 1998 by Stanford Ph.D. students Larry Page and Sergey Brin, Google today is a top web property in all major global markets. Google’s targeted advertising program provides businesses of all sizes with measurable results, while enhancing the overall web experience for users. Google is headquartered in Silicon Valley with offices throughout the Americas, Europe and Asia. For more information, visit [www.google.com](http://www.google.com).

GU Holdings and its affiliates do not hold authority under Section 214 of the Communications Act of 1934, as amended, or the Cable Landing License Act.

### **INFORMATION REQUIRED BY 47 C.F.R. § 1.767(a)**

#### **(1) Name, Address and Telephone Number of the Applicant**

GU Holdings Inc.  
2711 Centerville Road,  
Suite 300, PMB 811  
Wilmington, DE 19808  
Tel: (650) 965-4285

#### **(2) Place of Formation**

GU Holdings is formed under the laws of the State of Delaware.

#### **(3) Correspondence concerning the application should be sent to the following:**

Paul O. Gagnier  
Bingham McCutchen LLP  
2020 K Street, N.W.  
Washington, DC 20006  
Tel: (202) 373-6592  
Fax: (202) 373-6001  
Email: [paul.gagnier@bingham.com](mailto:paul.gagnier@bingham.com)

**(4) Certification and Ownership Information Requested by Sections 63.18(h)-(k) and (o) of the Commission's Rules**

**Information requested by Section 63.18(h):**

GU Holdings is wholly-owned by Google International LLC:

Name: Google International LLC  
Address: 1600 Amphitheatre Parkway  
Mountain View, CA 94043  
Ownership: 100%  
Citizenship: United States (Delaware)  
Principal Business: Holding company

Google International LLC is wholly-owned by Google Inc.:

Name: Google Inc.  
Address: 1600 Amphitheatre Parkway  
Mountain View, CA 94043  
Ownership: 100%  
Citizenship: United States (Delaware)  
Principal Business: Technology search services and advertising

The following persons have a 10% or greater voting or equity interest in Google Inc.:

Name: Eric Schmidt  
Address: 1600 Amphitheatre Parkway  
Mountain View, CA 94043  
Ownership: 12.4% of Class B common stock (representing 9.4% voting power)  
Citizenship: United States  
Principal Business: Chairman, Chief Executive Officer, and Director of Google Inc.

Name: Larry Page  
Address: 1600 Amphitheatre Parkway  
Mountain View, CA 94043  
Ownership: 38.0% of Class B common stock (representing 29.0% voting power)  
Citizenship: United States  
Principal Business: President of Products and Director of Google Inc.

Name: Sergey Brin  
Address: 1600 Amphitheatre Parkway  
Mountain View, CA 94043  
Ownership: 37.3% of Class B common stock (representing 28.5% voting power)  
Citizenship: United States  
Principal Business: President of Technology and Director of Google Inc.

GU Holdings does not have any interlocking directorates with foreign carriers.

**Information requested by Section 63.18(i):**

GU Holdings is not a foreign carrier. GU Holdings' affiliate, Google (Hong Kong) Limited, holds a Public Non-Exclusive Telecommunication Services license in Hong Kong.

**Information requested by Section 63.18(j):**

Neither GU Holdings, nor any of its affiliates, is a licensed carrier in Japan.

**Information requested by Section 63.18(k):**

Not applicable.

**Information requested by Section 63.18(o):**

GU Holdings certifies pursuant to Sections 1.2001 through 1.2003 of the Commission's Rules that it is not subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988.

**(5) Routine Conditions Specified in Section 1.767(g) of the Commission's Rules, 47 C.F.R. § 1.767(g)**

GU Holdings certifies that it accepts and will abide by the routine conditions specified in Section 1.767(g) of the Commission's Rules, 47 C.F.R. § 1.767(g).

**ELIGIBILITY FOR STREAMLINED PROCESSING PURSUANT TO 47 C.F.R. § 1.767(k)**

GU Holdings is eligible for streamlined processing under the FCC's rules pursuant to 47 C.F.R. § 1.767(k) because it is not a foreign carrier and it is not affiliated with a foreign carrier in Japan.


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**CERTIFICATION**

I am authorized to enter this certification on behalf of GU Holdings Inc.

I certify that all of the information contained in the Application relating to GU Holdings Inc. and in this Appendix C is true and correct to the best of my knowledge and belief.

I further certify that GU Holdings Inc. is aware of the requirements of the Coastal Zone Management Act of 1972, as amended, 16 U.S.C. § 1456 (CZMA), and will abide by the CZMA and the National Oceanic and Atmospheric Administration rules implementing the CZMA, 15 C.F.R. Part 930, Subpart D.

  
\_\_\_\_\_  
Francois Sterin, Attorney-in-Fact  
2711 Centerville Road  
Suite 300, PMB 811  
Wilmington, DE 19808

**For and on behalf of GU Holdings, Inc.**

Dated: May 16, 2008

## **APPENDIX D – KDDI CORPORATION**

KDDI Corporation (“KDDI”) is a Japanese information and communications company that provides communications services globally, from fixed to mobile. KDDI is aggressively working toward the realization of the Ubiquitous Network Society through its ability to develop leading-edge communications networks and services to support them and through the ability to carry out technical research and development at a level unsurpassed anywhere. Additional information regarding KDDI is available at <http://www.kddi.com/>.

KDDI does not hold any licenses issued by the Commission; however, its subsidiaries KDDI America, Inc. and KDDI Global L.L.C. hold authority pursuant to Section 214 of the Communications Act of 1934, as amended, to operate as global facilities-based and resale carriers in accordance with Sections 63.18(e)(1) and 63.18(e)(2) of the Commission’s rules.<sup>1</sup>

### **INFORMATION REQUIRED BY 47 C.F.R. § 1.767(a)**

#### **(1) Name, Address and Telephone Number of the Applicant**

KDDI Corporation  
3-10-10, Iidabashi  
Chiyoda-ku, Tokyo 102-8460 Japan  
Tel: +81 (3) 3347 0077

#### **(2) Place of Formation**

KDDI is formed under the laws of Japan.

#### **(3) Correspondence concerning the application should be sent to the following:**

Masazumi Inoue, General Manager  
International Network Department  
KDDI Corporation  
3-10-10, Iidabashi  
Chiyoda-ku, Tokyo 102-8460 Japan  
Tel: +81 (3) 6678 6048  
Email: mz-inoue@kddi.com

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<sup>1</sup> File Nos. ITC-214-19970113-00019; ITC-214-19970212-00082; ITC-214-19970212-00085; ITC-214-19971014-00620; ITC-214-19980205-00076; ITC-214-19980205-00077; ITC-214-19980424-00275; ITC-214-19980607-00388; and ITC-214-20061027-00492.

**(4) Certification and Ownership Information Requested by Sections 63.18(h)-(k) and (o) of the Commission's Rules**

**Information requested by Section 63.18(h):**

The following entities hold a 10% or greater interest in KDDI:

Name: Kyocera Corporation  
Address: 6, Takeda Tobadono-cho  
Fushimi-ku, Kyoto, Japan 612-8501  
Ownership: 12.83%  
Citizenship: Japan  
Principal Business: Electronic Equipment Manufacturing

The shares of Kyocera Corporation are publicly traded on the Tokyo Stock Exchange and the New York Stock Exchange and are widely held.

Name: Toyota Motor Corporation  
Address: 1 Toyota-Cho, Toyota City  
Aichi Prefecture 471-8571, Japan  
Ownership: 11.14%  
Citizenship: Japan  
Principal Business: Automotive Manufacturing

The shares of Toyota Motor Corporation are publicly traded on the Tokyo Stock Exchange, the London Stock Exchange, and the New York Stock Exchange and are widely held.

KDDI does not have any interlocking directorates.

**Information requested by Section 63.18(i):**

The following affiliates of KDDI are foreign carriers under Section 63.09 of the Commission's Rules.

<b>Affiliate Name</b>	<b>Country Where Licensed</b>
KDDI Australia Pty Ltd.	Australia
KDDI China Corporation	China
Shanghai KDDI Communications Engineering Co., Ltd.	China
KDDI Guangzhou Corporation	China
KDDI France SAS	France
KDDI Deutschland GmbH	Germany
KDDI Hong Kong, Ltd.	Hong Kong
KDDI India Private Ltd	India
PT. KDDI Indonesia	Indonesia



<b>Affiliate Name</b>	<b>Country Where Licensed</b>
Okinawa Cellular Telephone Co.	Japan
KDDI Network & Solutions Inc.	Japan
KDDI & BT Global Solutions Corporation	Japan
KMN Corporation	Japan
Japan Internet Exchange Co., Ltd	Japan
Kyocera Communication Systems Co., Ltd	Japan
KDDI Korea Corporation	Korea
Prism Communications Co.	Korea
KDDI Malaysia Sdn. Bhd	Malaysia
Mobicom Corporation	Mongolia
Hola Paraguay S.A.	Paraguay
KDDI Philippines Corporation	Philippines
Vostoktelecom Co. Led.	Russia
KDDI Singapore Pte Ltd.	Singapore
KDDI Taiwan Corporation	Taiwan
KDDI Europe Ltd.	United Kingdom
Telehouse International Corp. Of Europe Ltd.	United Kingdom
KDDI Eastern Europe, Ltd.	United Kingdom
KDDI Vietnam Corporation	Vietnam

**Information requested by Section 63.18(j):**

Various subsidiaries of KDDI are licensed carriers in Japan. *See* response to Section 63.18(i).

**Information requested by Section 63.18(k):**

Japan is member of the World Trade Organization (“WTO”).

**Information requested by Section 63.18(o):**

KDDI certifies pursuant to Sections 1.2001 through 1.2003 of the Commission’s Rules that it is not subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988.

**(5) Routine Conditions Specified in Section 1.767(g) of the Commission’s Rules, 47 C.F.R. § 1.767(g)**

KDDI certifies that it accepts and will abide by the routine conditions specified in Section 1.767(g) of the Commission’s Rules, 47 C.F.R. § 1.767(g).

**ELIGIBILITY FOR STREAMLINED PROCESSING PURSUANT TO 47 C.F.R. § 1.767(k)**

KDDI is eligible for streamlined processing under Section 1.767(k) of the Commission's rules. Subsidiaries of KDDI are foreign carriers in Japan under Section 63.09 of the Commission's Rules and KDDI is presumed to possess market power in Japan.<sup>2</sup> However, KDDI is a Japanese company and Japan is the member of the WTO. Further, KDDI certifies that it will comply with the reporting requirements applicable to licensees that are foreign carriers with market power, as set forth in Section 1.767(l) of the Commission's rules.

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<sup>2</sup> See *List of Foreign Telecommunications Carriers that Are Presumed to Possess Market Power in Foreign Telecommunications Markets*, Public Notice, DA 07-233 (Jan. 26, 2007).

**CERTIFICATION**

I am authorized to enter this certification on behalf of KDDI Corporation.

I certify that all of the information contained in the Application relating to KDDI Corporation and in this Appendix D is true and correct to the best of my knowledge and belief.

I hereby certify that KDDI Corporation is aware of the requirements of the Coastal Zone Management Act of 1972, as amended, 16 U.S.C. § 1456 (CZMA), and will abide by the CZMA and the National Oceanic and Atmospheric Administration rules implementing the CZMA, 15 C.F.R. Part 930, Subpart D.



Masazumi Inoue, General Manager  
International Network Department  
KDDI Corporation  
3-10-10, Iidabashi  
Chiyoda-ku, Tokyo 102-8460, Japan

**For and on behalf of KDDI Corporation**

Dated: May 16, 2008

## **APPENDIX E – PACNET SERVICES (USA) INC**

Applicant Pacnet Services (USA) Inc. (“Pacnet”), is a member of the Pacnet group of companies, which operates extensive submarine fiber optic cable network facilities, mainly in the Asia-Pacific region. The Pacnet group provide telecommunications services to carriers and enterprise customers around the Asia-Pacific region. Additional information about the Pacnet group is available at [www.pacnet.com](http://www.pacnet.com).

Pacnet Cable (USA) Inc., an affiliate of Applicant, holds authority from the Commission pursuant to Section 214 of the Communications Act of 1934, as amended, to operate as a global facilities-based and resale carrier in accordance with Sections 63.18(e)(1) and 63.18(e)(2) of the Commission’s rules.<sup>1</sup>

### **INFORMATION REQUIRED BY 47 C.F.R. § 1.767(a)**

#### **(1) Name, Address and Telephone Number of the Applicant**

Pacnet Services (USA) Inc.  
Corporate Trust Center  
1209 Orange Street  
Wilmington, Delaware 19801  
Tel: +852 2121 2828

#### **(2) Place of Formation**

Pacnet is formed under the laws of the State of Delaware.

#### **(3) Correspondence concerning the application should be sent to the following:**

Andrew Simpson, Director of Regulatory Affairs  
Pacnet Services (USA), Inc.  
18/F Cityplaza Three  
14 Taikoo Wan Road  
Taikoo Shing, Hong Kong  
Tel: +852 2121 2816  
Fax: +852 2121 2929  
Email: [andrew.simpson@pacnet.com](mailto:andrew.simpson@pacnet.com)

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<sup>1</sup> File No. ITC-214-20010614-00347. Pacnet Cable (USA) Inc. was formerly known as C2C Cable (USA) Inc. Pacnet Cable (USA) Inc. filed a notice with the Commission on February 27, 2008 in respect of the *pro forma* change of control and name change of C2C Cable (USA) Inc. resulting from internal restructuring carried out within the Pacnet group.

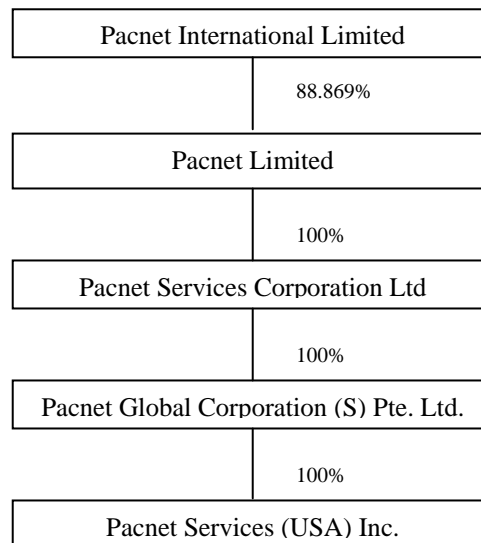
With a copy to:

Eric Fishman  
Holland & Knight  
195 Broadway, 24th Floor  
New York, NY 10007  
Tel: (212) 513-3268  
Fax: (212) 385-9010  
Email: eric.fishman@hklaw.com

**(4) Certification and Ownership Information Requested by Sections 63.18(h)-(k) and (o) of the Commission's Rules**

**Information requested by Section 63.18(h):**

Direct and indirect owners of Pacnet Services (USA) Inc.



Pacnet Global Corporation (S) Pte. Ltd. has a 100% direct ownership interest in Pacnet Services (USA) Inc. Pacnet Global Corporation (S) Pte. Ltd. is a limited liability company incorporated in Singapore. Its principal business is telecommunications and its address is:

16 Collyer Quay  
#11-02 Hitachi Tower  
Singapore 049318

Pacnet Services Corporation Ltd has a 100% direct ownership interest in Pacnet Global Corporation (S) Pte. Ltd. Pacnet Services Corporation Ltd is an exempted company incorporated in Bermuda. Its principal business is a holding company and its address is:

Clarendon House  
2 Church Street  
Hamilton HM11  
Bermuda

Pacnet Limited has a 100% direct ownership interest in Pacnet Services Corporation Ltd. Pacnet Limited is an exempted company incorporated in Bermuda. Its principal business is a holding company and its address is:

Clarendon House  
2 Church Street  
Hamilton HM11  
Bermuda

Pacnet International Limited has a 88.869% direct ownership interest in Pacnet Limited. Pacnet International Limited is an exempted company incorporated in Bermuda. Its principal business is a holding company and its address is:

Clarendon House  
2 Church Street  
Hamilton HM11  
Bermuda

The remaining 11.131% ownership interest in Pacnet Limited is held by various other funds, none of which has a 10% or greater ownership interest.

The following entities hold a 10% or greater ownership interest in Pacnet International Limited:

The Ashmore Group owns 51.233 percent of the voting shares of Pacnet International Limited. Two individual Ashmore funds hold a 10% or greater interest in Pacnet International Limited:

- Asset Holder PCC Limited (Re Ashmore Emerging Markets Liquid Investments Portfolio) holds 10.732% of Pacnet International Limited. Asset Holder PCC Limited is a company incorporated in Guernsey. Its principal business is an open-ended investment fund.
- Asset Holder PCC No. 2 Limited (Re Ashmore Asian Recovery Fund) holds 13.728% of Pacnet International Limited. Asset Holder PCC No. 2 Limited is a company incorporated in Guernsey. Its principal business is an open-ended investment fund.

The address of the Ashmore Group is:

c/o Ashmore Investment Management Limited  
20 Bedfordbury  
London WC2N 4BL  
United Kingdom  
Attn: Craig Webster  
Tel: +44 (20) 7557 4156  
Fax: +44 (20) 7557 4141

The Ashmore Group's remaining 26.773% interest in Pacnet International Limited is held through various other funds, none of which has a 10% or greater ownership interest and each of which uses the above business address.

The Spinnaker Group own 35.307 percent of the voting shares of Pacnet International Limited. The following individual Spinnaker fund holds a 10% or greater interest in Pacnet International Limited:

- HSBC Custody Services (Guernsey) Ltd., as sub-custodian and agent for Spinnaker Global Emerging Markets Fund Ltd holds 19.953% of Pacnet International Limited. Spinnaker Global Emerging Markets Fund Ltd is a company incorporated in the British Virgin Islands. Its principal business is an open-ended investment fund.

The address of the Spinnaker group of investment funds is:

c/o Spinnaker Capital Limited  
53/54 Grosvenor Street  
London W1K 3HU5  
United Kingdom  
Attn: Bob McCarthy  
Tel: +44 (20) 7903 2900  
Fax: +44 (20) 7903 2999

The Spinnaker Group's remaining 15.354% interest in Pacnet International Limited is held through various other funds, none of which has a 10% or greater ownership interest and each of which uses the above business address.

The following individual Clearwater fund holds a 10% or greater interest in Pacnet International Limited:

- Clearwater Undersea Cable Investments, L.P. holds 13.460% of Pacnet International Limited. Clearwater Undersea Cable Investments, L.P. is a Limited Partnership formed in the Cayman Islands. Its principal business is an open-ended investment fund.

The address of Clearwater Undersea Cable Investments, L.P is:

c/o Clearwater Capital Partners  
Suite 2205A  
No. 9 Queen's Road Central  
Hong Kong  
Attn: William L. Shia  
Tel: +852 3713 4818  
Fax: +852 3713 4890

There are no other entities with a 10% or greater direct or indirect interest in Applicant.

Interlocking Directorates of Pacnet Services (USA) Inc.

Certain of the directors and officers of Applicant or its direct or indirect parent companies also serve as directors and officers of Applicant's foreign carrier affiliates. Those interlocking directorates are disclosed in the following chart.

<b>Applicant</b>	<b>Directors/Officers</b>
Pacnet Services (USA) Inc.	William Barney Gina Haspilaire Grace Guang
<b>Foreign Carrier</b>	<b>Interlocking Directors/Officers</b>
Pacnet Global (HK) Limited	Grace Guang William Barney
Pacnet Services Asia Pacific (HK) Limited	Grace Guang William Barney
Pacnet Services Asia Pacific Commercial (HK) Limited	Grace Guang
Pacnet Cable (HK) Limited	Grace Guang
Pacnet Internet (HK) Limited	Grace Guang
Pacnet Cable (Japan) Corp.	Grace Guang
Pacnet Services (Korea) Ltd.	Grace Guang
Pacnet Internet (Malaysia) Sdn. Bhd.	Grace Guang
Pacnet Global (Singapore) Pte. Ltd.	Grace Guang William Barney
Pacnet Services Global (S) Pte. Ltd.	Grace Guang
Southeast Pacnet Services (S) Pte. Ltd.	Grace Guang
Pacnet Cable (S) Pte. Ltd.	Grace Guang
Pacnet Internet Corporation (S) Pte Ltd	Grace Guang
Pacnet Internet Services (S) Pte. Ltd.	Grace Guang
Pacnet Cable (Taiwan) Ltd	Grace Guang
Pacnet Services Corporation Ltd	William Barney
Asia Netcom Ireland Limited	Grace Guang
C2C Pacnet (Ireland) Limited	Grace Guang



East Asia Network Taiwan Inc.	William Barney
Iljin C2C Ltd	Grace Guang

**Information requested by Section 63.18(i):**

Applicant is not a foreign carrier, however, it is affiliated with the following foreign carriers:

<b>Affiliate Name</b>	<b>Former name</b>	<b>Country Where Licensed</b>
Pacnet Services (A) Pty. Ltd.	Asia Netcom Australia Pty Ltd	Australia
Pacnet Global (HK) Limited	Asia Netcom Hong Kong Limited	Hong Kong
Pacnet Services Asia Pacific (HK) Limited	Asia Netcom Asia Pacific Limited	Hong Kong
Pacnet Services Asia Pacific Commercial (HK) Limited	Asia Netcom Asia Pacific Commercial Limited	Hong Kong
Pacnet Cable (HK) Limited	C2C Hong Kong Limited	Hong Kong
Pacnet Internet (HK) Limited	Pacific Internet (Hong Kong) Ltd	Hong Kong
Pacific Internet India Private Ltd	n/a	India
Pacnet Services (Japan) Corp.	Asia Netcom Japan Corp.	Japan
Pacnet Services Tsushin (Japan) Corp.	Asia Netcom Tsushin Corp.	Japan
Pacnet Cable (Japan) Corp.	C2C Japan KK	Japan
Pacnet Services (Korea) Ltd.	Asia Netcom Korea Limited	Korea
Iljin C2C Ltd	n/a	Korea
Pacnet Global (Malaysia) Sdn. Bhd.	Asia Netcom Services Sdn. Bhd.	Malaysia
Pacnet Internet (Malaysia) Sdn. Bhd.	Pacific Internet (Malaysia) Sdn. Bhd.	Malaysia
Digitel Crossing Inc.	n/a	Philippines
Primeworld Digital Systems Inc.	n/a	Philippines
Pacnet Global (Singapore) Pte. Ltd.	Asia Netcom Singapore Pte. Ltd.	Singapore
Pacnet Services Global (S) Pte. Ltd.	Asia Netcom Services (S) Pte. Ltd.	Singapore
Southeast Pacnet Services (S) Pte. Ltd.	Southeast Asia Netcom (Singapore) Pte. Ltd.	Singapore
Pacnet Cable (S) Pte. Ltd.	C2C (Singapore) Pte. Ltd.	Singapore
Pacnet Internet Corporation (S) Pte Ltd	Pacific Internet Corporation Pte Ltd	Singapore
Pacnet Internet Services (S) Pte. Ltd.	Pacific Internet Services Pte. Ltd.	Singapore
Pacnet Cable (Taiwan) Ltd.	C2C Infocom Cable (Taiwan) Limited	Taiwan
East Asia Network Taiwan Inc.	n/a	Taiwan

<b>Affiliate Name</b>	<b>Former name</b>	<b>Country Where Licensed</b>
Pacnet Internet (Thailand) Limited	Pacific Internet (Thailand) Limited	Thailand
World Net & Services Co., Ltd.	n/a	Thailand

**Information requested by Section 63.18(j):**

Applicant's affiliates, Pacnet Services (Japan) Corp., Pacnet Services Tsushin (Japan) Corp., and Pacnet Cable (Japan) Corp. are foreign carriers in Japan. *See* response to Section 63.18(i).

**Information requested by Section 63.18(k):**

Japan is a member of the World Trade Organization ("WTO") Further, each of Applicant's Japanese affiliates is a competitive entrant and lacks market power in Japan.

**Information requested by Section 63.18(o):**

Pacnet Services (USA) Inc. certifies pursuant to Sections 1.2001 through 1.2003 of the Commission's Rules that it is not subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988.

**(5) Routine Conditions Specified in Section 1.767(g) of the Commission's Rules, 47 C.F.R. § 1.767(g)**

Pacnet Services (USA) Inc. certifies that it accepts and will abide by the routine conditions specified in Section 1.767(g) of the Commission's Rules, 47 C.F.R. § 1.767(g).

**ELIGIBILITY FOR STREAMLINED PROCESSING PURSUANT TO 47 C.F.R. § 1.767(k)**

Applicant is eligible for streamlined processing under Section 1.767(k) of the Commission's rules. Although Applicant's affiliates are foreign carriers in Japan under Section 63.09 of the Commission's rules, they are a competitive entrants and lack sufficient market power in Japan to affect competition adversely on the U.S.-Japan route. Further, Japan is a WTO Member.

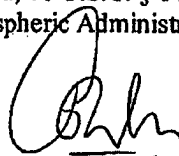
**[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK.]**

**CERTIFICATION**

I am authorized to enter this certification on behalf of Pacnet Services (USA) Inc.

I certify that all of the information contained in the Application relating to Pacnet Services (USA) Inc. and in this Appendix E is true and correct to the best of my knowledge and belief.

I further certify that Pacnet Services (USA) Inc. is aware of the requirements of the Coastal Zone Management Act of 1972, as amended, 16 U.S.C. § 1456 (CZMA), and will abide by the CZMA and the National Oceanic and Atmospheric Administration rules implementing the CZMA, 15 C.F.R. Part 930, Subpart D.



Chris Wilson  
Vice-President, Business Development  
Pacnet Services (USA) Inc.  
11-01 SGX Centre 1  
2 Shenton Way  
Singapore 068804

**For and on behalf of Pacnet  
Services (USA) Inc.**

Dated: May 16, 2008

## **APPENDIX F – SINGAPORE TELECOMMUNICATIONS LIMITED**

Singapore Telecommunications Limited (“SingTel”) is a company incorporated under the laws of the Republic of Singapore. SingTel is a global provider providing a range of communications services in Singapore and select foreign countries. SingTel offers long distance service, high-capacity connections, and a variety of other voice and data services, primarily to business customers. SingTel owns, operates, monitors and maintains extensive communications networks, with facilities in Singapore and other countries throughout the Asia-Pacific, North America and Europe. The company is involved in more than 35 submarine cable networks carrying mission-critical traffic for multinational customers worldwide. Additional information regarding SingTel is available at <http://welcome.singtel.com/default.asp>.

SingTel’s U.S. subsidiary, Singapore Telecommunications USA Inc., holds authority from the Commission pursuant to Section 214 of the Communications Act of 1934, as amended, to operate as a global facilities-based and resale carrier in accordance with Sections 63.18(e)(1) and 63.18(e)(2) of the Commission’s rules.<sup>1</sup>

### **INFORMATION REQUIRED BY 47 C.F.R. § 1.767(a)**

#### **(1) Name, Address and Telephone Number of the Applicant**

Singapore Telecommunications Limited  
31 Exeter Road  
Singapore 239732  
Tel: (65) 6838-3388  
Fax: (65) 6732-8428

#### **(2) Place of Formation**

SingTel is incorporated under the laws of the Republic of Singapore.

#### **(3) Correspondence concerning the application should be sent to the following:**

Ooi Seng Keat  
Director, Submarine Cable and Ventures  
Singapore Telecommunications Limited  
31 Exeter Road  
#23-00 Comcentre  
Singapore 239732  
Tel: (65) 6838-1523  
Fax: (65) 6738-1766

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<sup>1</sup> File Nos. ITC-214-19981118-00808; ITC-214-19981118-00807; ITC-214-19981005-00681; ITC-214-19981005-00680.

With a copy to:

Linette Lee  
Director, Consortium Cable Investment  
Singapore Telecommunications Limited  
31 Exeter Road  
#23-00 Comcentre  
Singapore 239732  
Tel: (65) 6838-2306  
Fax: (65) 6738-1766

**(4) Certification and Ownership Information Requested by Sections 63.18(h)-(k) and (o) of the Commission's Rules**

**Information requested by Section 63.18(h):**

As of June 18, 2007, the only person holding a 10 percent or greater interest in SingTel is:

Name:	Temasek Holdings (Private) Limited ("Temasek Holdings")
Address:	60B Orchard Road #06-18 Tower 2 The Atrium@Orchard Singapore 238891
Ownership:	55.96% (54.14 direct and 1.82 indirect)
Citizenship:	Singapore
Principal Business:	Investment company that owns and manages its assets on a commercial basis.

Temasek Holdings is an Asia investment house headquartered in Singapore. Temasek Holdings invests in diverse industry sectors such as banking and financial services, real estate, transportation and logistics, infrastructure, telecommunications and media, bioscience and healthcare, education, consumer and lifestyle, engineering and technology, and energy and resources. Additional information on Temasek Holdings can be found at <http://www.temasekholdings.com.sg>.

Based on information available to SingTel as of May 30, 2007, approximately 5.5% of the issued ordinary shares of SingTel are held by The Capital Group Companies, Inc. and another 38.4% of those shares are publicly traded. SingTel ADRs are traded in the U.S. on the over the counter market.

SingTel has interlocking directorates with various of its affiliates listed in response to Section 63.18(i) below. SingTel has no other interlocking directorates.

**Information requested by Section 63.18(i):**

SingTel is a foreign carrier, as that term is defined by Section 63.09 of the Commission's Rules. In Singapore, SingTel, directly and through its subsidiaries, is licensed to provide various telecommunications services to the public. In addition, SingTel provides telecommunications services to the public through affiliates operating in the following countries:

<b>Name of the affiliated foreign carrier:</b>	<b>Countries in which carrier is authorized to provide telecommunications services to the public:</b>
SingTel Optus Pty Limited	Australia
Singapore Telecom Hong Kong Limited	Hong Kong
Singapore Telecommunications Japan Co Ltd	Japan
Singapore Telecommunications Korea	South Korea
Information Network Services Sdn Bhd	Malaysia
SingTel Taiwan Limited	Taiwan
SingTel (Europe) Limited	United Kingdom

**Information requested by Section 63.18(j):**

As noted above, SingTel's affiliate, Singapore Telecommunications Japan Co Ltd ("SingTel Japan") is a foreign carrier in Japan.

**Information requested by Section 63.18(k):**

Japan has been a full member of the WTO since January 1, 1995. Further, Singapore Telecommunications Japan Co Ltd is a competitive entrant and lacks market power in Japan.

**Information requested by Section 63.18(o):**

SingTel certifies pursuant to Sections 1.2001 through 1.2003 of the Commission's Rules that it is not subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988.

**(5) Routine Conditions Specified in Section 1.767(g) of the Commission's Rules, 47 C.F.R. § 1.767(g)**

SingTel certifies that it accepts and will abide by the routine conditions specified in Section 1.767(g) of the Commission's Rules, 47 C.F.R. § 1.767(g).

**ELIGIBILITY FOR STREAMLINED PROCESSING - 47 C.F.R. § 1.767(k)**

SingTel is eligible for streamlined processing under Section 1.767(k) of the Commission's rules. Although SingTel Japan, is a foreign carrier in Japan under Section 63.09 of the Commission's rules, it is a competitive entrant and lacks sufficient market power in Japan to affect competition adversely on the U.S.-Japan route. Finally, Japan is a WTO Member. Accordingly, streamlined treatment is appropriate.

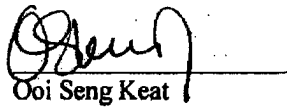
**[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK.]**

**CERTIFICATION**

I am authorized to enter this certification on behalf of Singapore Telecommunications Limited.

I certify that all of the information contained in the Application relating to Singapore Telecommunications Limited and in this Appendix F is true and correct to the best of my knowledge and belief.

I further certify that Singapore Telecommunications Limited is aware of the requirements of the Coastal Zone Management Act of 1972, as amended, 16 U.S.C. § 1456 (CZMA), and will abide by the CZMA and the National Oceanic and Atmospheric Administration rules implementing the CZMA, 15 C.F.R. Part 930, Subpart D.



Ooi Seng Keat

Director, Submarine Cable & Ventures  
Singapore Telecommunications Limited  
31 Exeter Road, #23-00 Comcentre  
Singapore 239732  
Tel: (65) 6838-1523  
Fax: (65) 6738-1766

**For and on behalf of Singapore  
Telecommunications Limited**

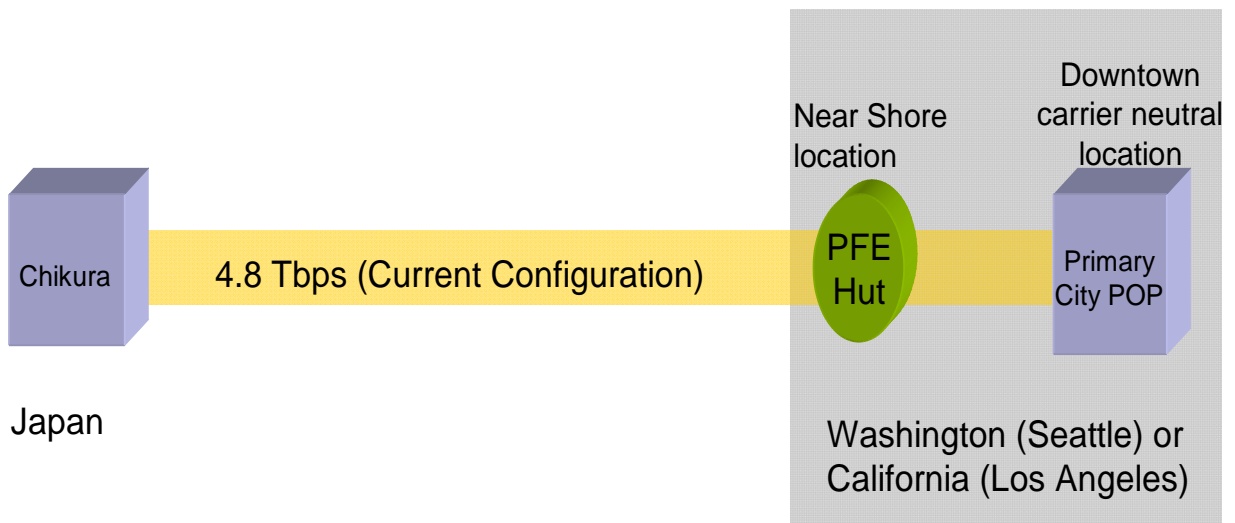
Dated: May 16, 2008



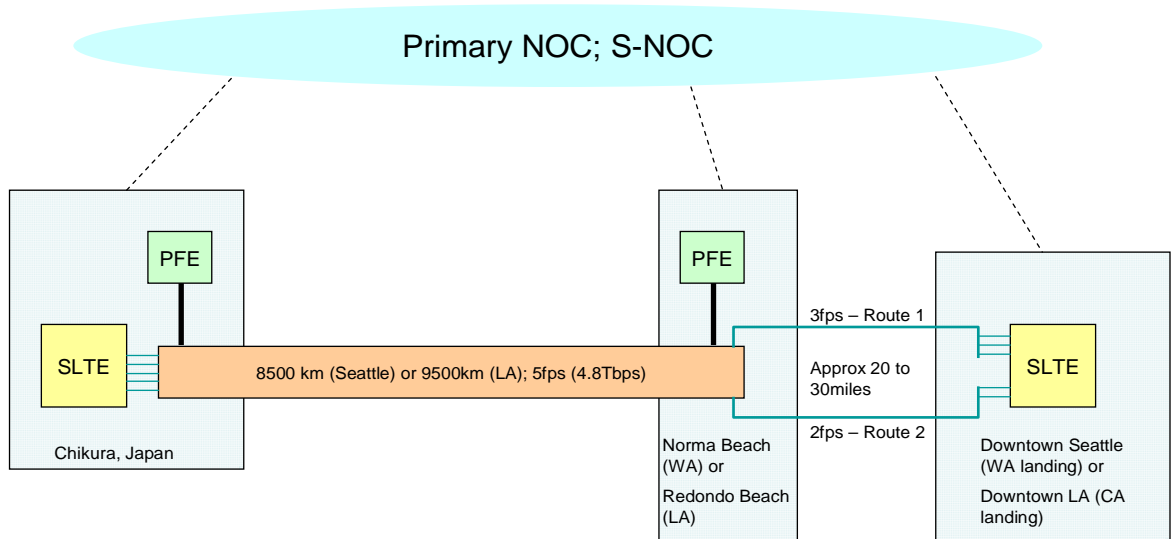
# **Appendix G**

## **Conceptual System Configurations**

**Figure 1. Unity Configuration**



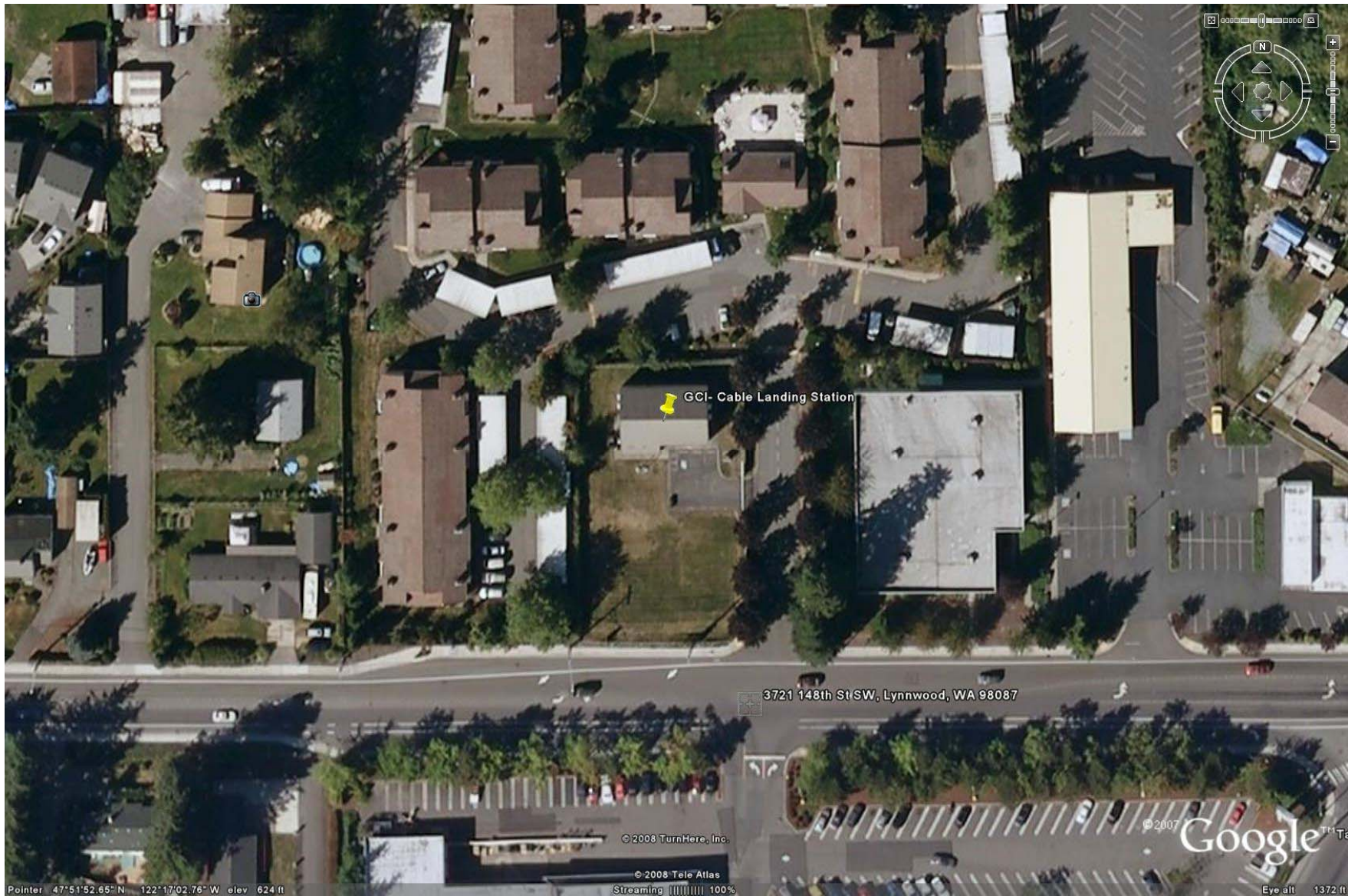
**Figure 2. Logical Layout of Unity**



## **Appendix H**

### **Maps/Photos of U.S. Landing Stations**

## Norma Beach Cable Landing Station



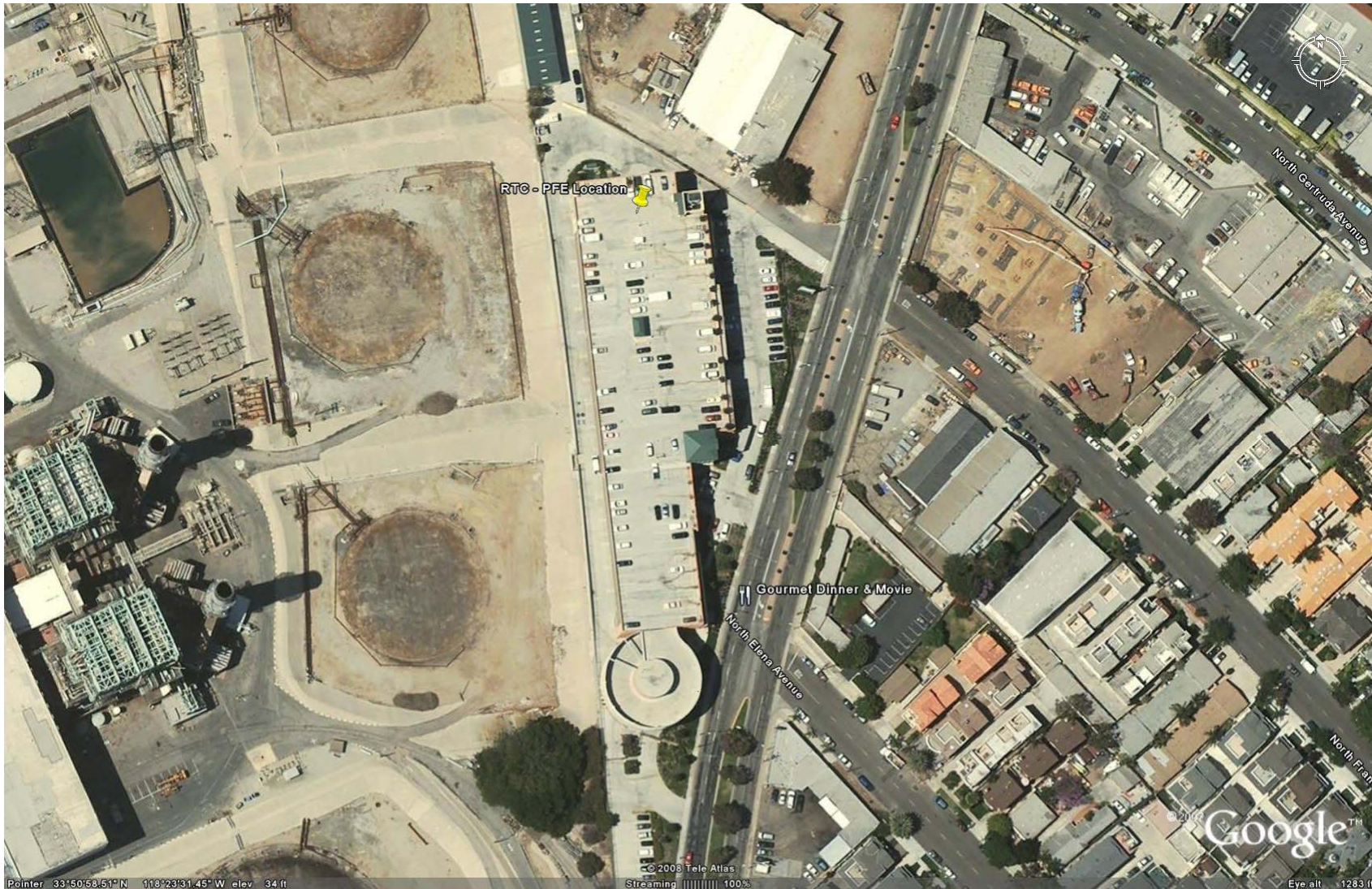


## Norma Beach Proposed Cable Landing Man-hole



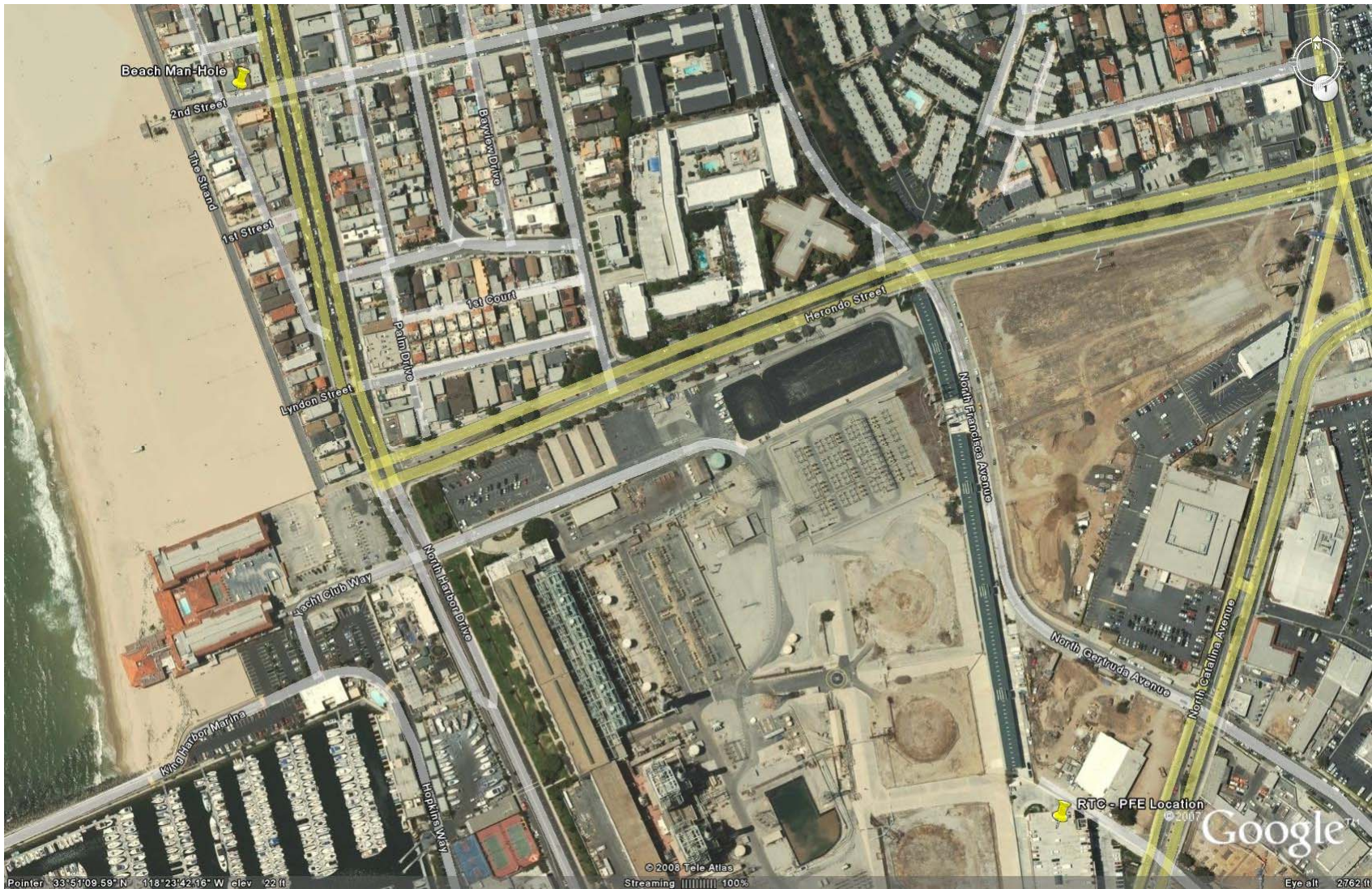


## Hermosa Beach/Redondo Beach Cable Landing Station





## Hermosa Beach/ Redondo Beach Proposed Cable Landing Man-hole

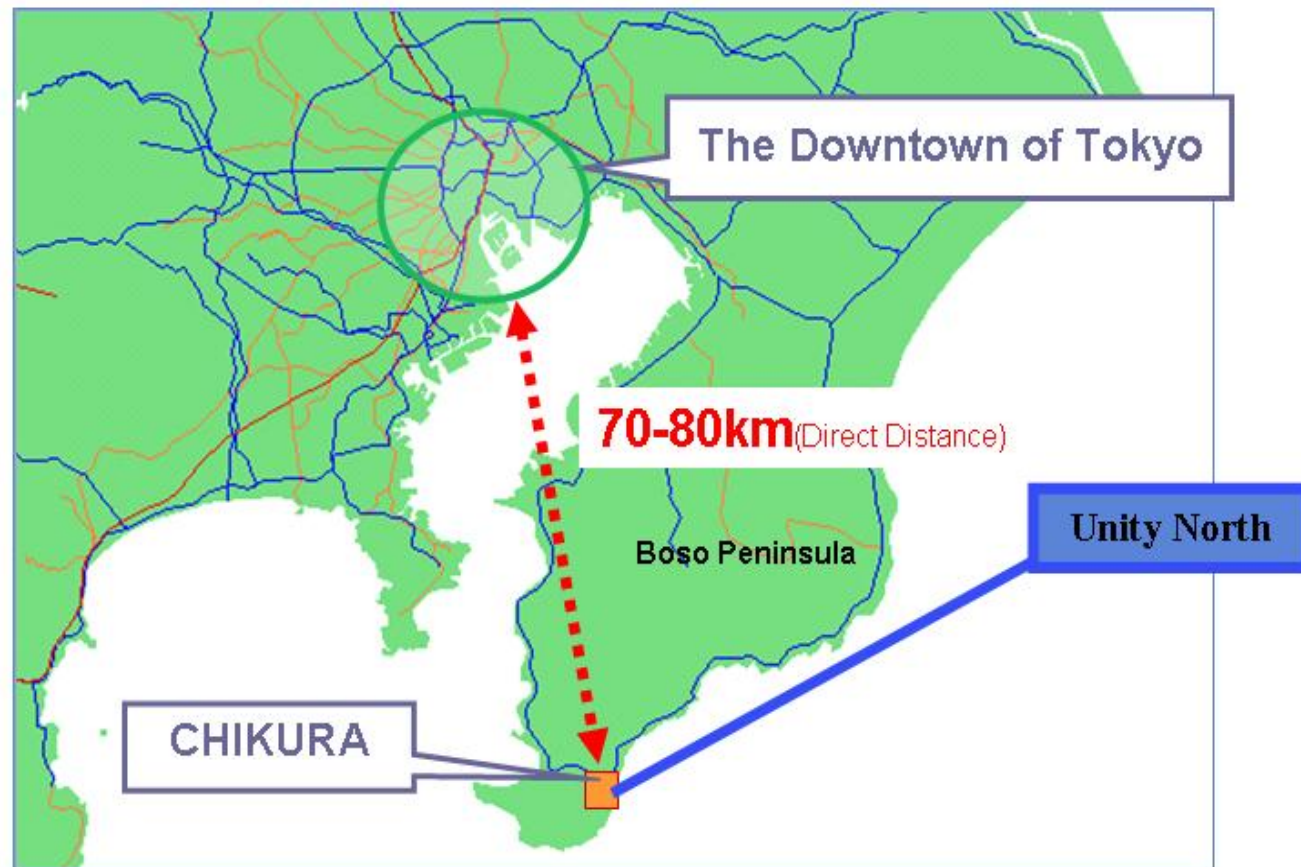




## **Appendix I**

### **Maps/Photos of the Japan Landing Station**

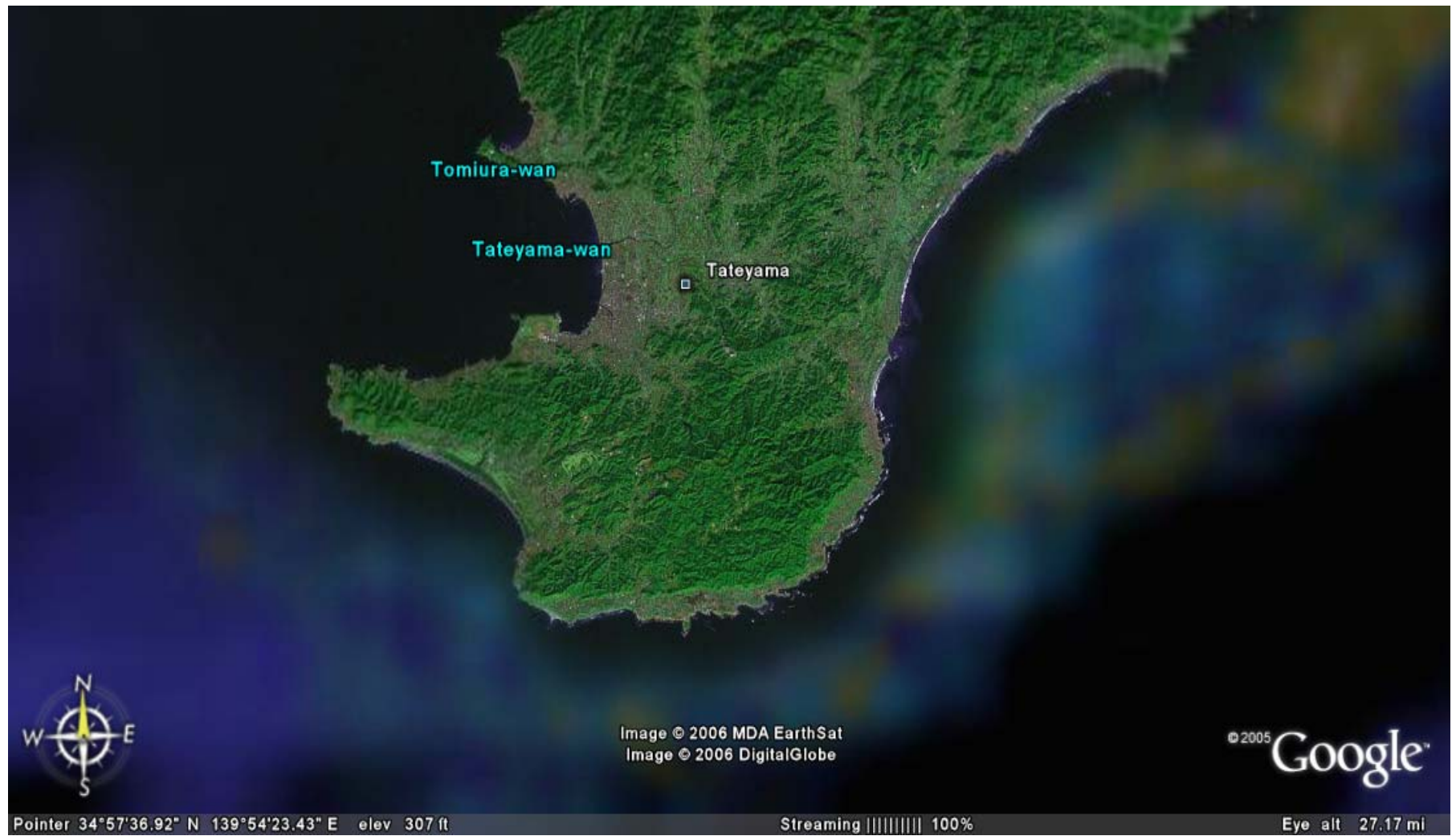
# Chikura Cable Landing Station



# Chikura Cable Landing Station



## Chikura Cable Landing Station



### CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing document was served this date upon the following:

Marlene Dortch Secretary Federal Communications Commission 445 12th Street, S.W. Washington, DC 20554 (via first class U.S. mail, postage prepaid)	Ambassador David Gross U.S. Coordinator EB/CIP U.S. Department of State 2201 C Street, N.W. Washington, D.C. 20520-5818 (via first class U.S. mail, postage prepaid)
David Krech International Bureau Federal Communications Commission 445 12th Street, S.W. Washington, DC 20554 (via electronic mail to David.Krech@fcc.gov)	Kathy Smith Office of Chief Counsel/NTIA U.S. Department of Commerce 14 <sup>th</sup> Street and Constitution Ave., N.W. Washington, D.C. 20230 (via first class U.S. mail, postage prepaid)
Susan O'Connell International Bureau Federal Communications Commission 445 12th Street, S.W. Washington, DC 20554 (via electronic mail to Susan.O'Connell@fcc.gov)	Hillary Morgan Defense Information Systems Agency Code RGC 701 S. Courthouse Road Arlington, VA 22204 (via first class U.S. mail, postage prepaid)



Katie Besha  
May 16, 2008